

**REMARKS**

Applicant thanks the Examiner for the consideration given the present application.

Claims 3-33 are now present in this application. Claims 3, 10, 16, 17, 23, 26 and 27 are independent. The specification has been amended to correct the obviously misspelled word. No new matter is involved. Reconsideration of this application is respectfully requested.

Continued Request For Acknowledgement of IDS Citations

Applicants again thank the Examiner for considering three of the references cited in the Information Disclosure Statement filed on August 23, 2001.

Additionally, Applicants thank the Examiner for considering the one reference supplied with, and cited in, the Information Disclosure Statement filed on July 30, 2004, and for providing Applicants with an initialed copy of the PTO-1449 form filed therewith.

However, Applicants again ask the Examiner to consider the cited reference (Korean 97-0007003) on the associated PTO-1449 that was not initialed, and provide Applicants with an initialed copy of the IDS for that reference.

Applicants also again ask the Examiner to consider the three references

supplied with, and cited in, the Information Disclosure Statement filed May 7, 2003, and for providing Applicants with an initialed copy of the PTO-1449 form filed therewith.

Applicant respectfully submits that this continued failure to consider the references cited in the aforementioned Information Disclosure Statements constitutes improper piecemeal prosecution of this Application and prejudices Applicant's right to timely treatment of these references. Applicant has received three Office Actions on the merits, yet Applicant is unsure of how the Examiner will treat the references cited in the aforementioned Information Disclosure Statements. This is fundamentally unfair to Applicant.

#### Drawings

In the Reply filed on August 18, 2004, Applicant filed formal drawings that Applicant believes overcome the objections set forth in the PTO-948. Applicant would appreciate an acknowledgement that those formal drawings overcome the deficiencies noted in the PTO-948.

#### Amendment of the Specification

Applicant has amended the main body of the specification to correct an obviously mis-spelled word.

Claim Rejections under 35 U.S.C. §102

Claims 3, 4, 7, 10-14, 16-22 and 26 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,536,661 to Takami et al. (hereinafter, "Takami"). Applicant respectfully traverses this rejection and requests reconsideration thereof.

A prior art reference anticipates the subject of a claim when the reference discloses every feature of the claimed invention, either explicitly or inherently (see, In re Paulsen, 30 F.3d 1475, 1478, 1479, 31 USPQ2d 1671, 1675 (Fed. Cir. 1994), In re Spada, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990), Hazani v. Int'l Trade Comm'n, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (Fed. Cir. 1997) and RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

It is well settled that the burden of establishing a *prima facie* case of anticipation resides with the Patent and Trademark Office (PTO). See, In re Piasecki, 745 F.2d 1468, 223 USPQ 785, 788 (Fed. Cir. 1984).

Independent claims 3, 10 and 16 positively recite, among other features, a "radio signal receiving block for . . . determining whether the received signal corresponds to a general information or a balance storing information."

Takami only discloses balance information once, in col. 7, line 13, and then only in the context of the types of electronic money information stored in electronic money information memory 30 and information processing unit 31 of

IC card 1. In regard to balance information, Takami merely discloses that information processing unit 31 is used for controlling "output of the balance."

Thus, the sum total of Takami's disclosure regarding balance is "de minimis."

Takami neither discloses nor suggests any device for "determining whether the received signal corresponds to a general information or a balance storing information."

In response to this argument, which was presented in the Reply filed August 18, 2004, the Office Action states that ". . . the claim recites that the received signal corresponds to 'general information or a balance storing string.' Therefore only one need be present in the teachings of Takami."

Applicant respectfully disagrees with this analysis of claim 3. Claim 3 positively recites a combination of features including, "a radio signal receiving block for receiving a radio signal and determining whether the received signal corresponds to general information or balance storing information."

In other words, one of the positively recited functions of the "radio receiving block" is "for . . . determining whether the received signal corresponds to general information or balance storing information." This positively recited decision-making function is not addressed in this rejection nor is it found anywhere in Takami.

The Office Action has chosen to ignore this positively recited decision feature, which is completely improper. It is well settled that all words in a claim must be considered in judging the patentability of that claim against the prior art. In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), and In re Miller, 169 USPQ 597 (CCPA 1971).

The Office Action completely ignores this positively recited feature and, because of this, the rejection is fundamentally unsound and improper.

The portion of Takami relied upon in the rejection (column 7, lines 4-18) as allegedly disclosing that electronic money information includes outputs such as balance is most certainly not a disclosure of a radio receiving block for determining whether a received signal corresponds to a general information or a balance storing information.

Accordingly, Takami does not anticipate independent claims 3, 10 and 16.

Moreover, although Takami discloses comparing an ID number extracted from a signal with a previously stored ID number, Takami does not disclose performing the comparison "if it is determined that the received signal corresponds to balance storing information" as recited.

Independent claims 3, 10 and 16 positively recite a specific determination that has to be made and a specific condition that has to be met before a specific comparison is made. Takami utterly fails to disclose these positively recited features of claims 3, 10 and 16.

In response to this argument, which was presented in the Amendment filed August 18, 2004, the Office Action states that “. . . the statement ‘if it is determined that the received signal corresponds to balance storing information’ is a conditional statement and it is therefore confusing to what happens if the received signal received is general information rather than balance storing information. Therefore the claim is examined on the principle that if it is determined to be general information, then the step of ‘comparing a serial number . . . ‘ need not be taught by Takami.”

Applicant respectfully disagrees with this line of reasoning.

In the first place, a positively recited claimed feature must be treated on its merits, see the “Wilson” and “Miller” cases cited above, in this regard. Thus, the positively recited feature “comparing a serial number extracted from the received signal with a previously stored serial number if it is determined that the received signal corresponds to balance storing information” has to be given patentable weight.

In the second place, conditional statements are perfectly proper in U.S. Patent claims and have to be given patentable weight. See, for example, in this regard, the decision in Altiris Inc. v. Symantec Corp., 65 USPQ2d 1865 (Fed. Cir. 2003) which specifically analyzed and gave patentable weight to the conditional language, “booting normally, if said testing step indicates a normal boot sequence.” This is another reason why the positively recited feature “comparing

a serial number extracted from the received signal with a previously stored serial number if it is determined that the received signal corresponds to balance storing information” has to be given patentable weight.

In the third place, the issue of “what happens if the received signal is general information” is irrelevant to the claimed conditional feature, “if it is determined that the received signal corresponds to balance storing information.”

In the fourth place, the conclusion that “comparing a serial number . . .” need not be taught “if it is determined to be general information” is not in issue in claims 3, 10 and/or 16 because such a feature is not positively recited in any of those claims.

In fact, it defies logic that a positively claimed conditional feature does not have to be addressed in a rejection because an alternative conditional feature is not recited. It reminds Applicant of the song from the “Sound of Music” which states “nothing comes from nothing, nothing ever could.” That statement applies to this situation because, if claims 3, 10 and 16 do not recite “if it is determined to be general information,”, then that feature need not be addressed in the rejection.

Accordingly, Takami does not anticipate the claimed invention recited in claims 3, 10 and 16.

The Office Action also alleges that “. . . Takami does teach comparing a serial number extracted from the received signal with a previously stored serial

number if it is determined that the received signal corresponds to balance storing information.” The basis for this allegation is Takami’s column 12, lines 15-42, which the Office Action characterizes as disclosing” . . . comparing card ID extracted from the signal with a stored card ID for electronic information sent by the radio transmitter. . .”

Unfortunately the Office Action fails to indicate how the quoted language anticipates the claimed conditional extracted and previously stored serial number comparison based on a determination that the received signal corresponds to balance storing information. This is a fundamental flaw in the Office Action and denies Applicant the fundamental procedural and substantive due process to which Applicant is entitled under the Administrative Procedures Act. See, in this regard, In re Zurko, 119 S.Ct. 1816, 50 USPQ2d 1930 (1999), and In re Gartside, 53 USPQ2d 1769 (Fed. Cir. 2000). Applicant is left to guess at how column 12, lines 15-42 anticipates the quoted claim language.

Applicant respectfully points out that nowhere in col. 12, lines 5-42 does Takami disclose a “serial number”, let alone both an extracted serial number or a previously stored serial number. Moreover, the disclosed permission to transfer electronic money information in IC card 25 to IC card 49 in col. 32-42, is based on an ID (not a serial number, as recited) received from an IC read by terminal 44, which is not a radio receiver signal block. Furthermore, as noted above, the determination of the existence of the recited condition to trigger the transfer is



also not disclosed by Takami.

In other words, Takami fails to disclose an apparatus that (1) determines whether the received signal corresponds to a general information or a balance information; (2) compares a serial number previously extracted from the received signal with a previously stored serial number based on a determination of whether a received signal by a radio signal receiving block; and (3) performs the comparison if the received signal corresponds to balance information.

Accordingly, Takami does not anticipate the apparatus recited in claims 3, 10, 16 and dependent claims 5, 6, 8 and 15.

Further, with respect to claim 4, the Office Action's assertion that Takami's disclosure of two IDs coinciding in order for electronic money to be transferred and stored, referencing col. 12, lines 32-42, is irrelevant to the invention recited in claim 4. Claim 4 positively recites a computation block designed so that a certain amount of data is stored in the memory block only when first and second balance storing information is received from the radio signal block. As noted above, Takami merely determines if two IDs of two different ICs coincide and fails to disclose receipt of first and second balance storing information from a radio signal receiving block, and fails to disclose a computation block storing a certain amount of data in the memory block when first and second balance storing information are received from the radio signal

block. There is no disclosure in Takami of “first and second balance storing information” being received, as recited, in col. 12, lines 32-42, or of an apparatus storing a certain amount of information in a memory block “only when first and second balance storing information are all received from the radio signal storing block,” as recited, in column 12, lines 32-42. Takami is totally devoid of such features. Accordingly, Takami does not anticipate claim 4.

Further, with respect to claim 7, Takami does not disclose, in col. 12, lines 5-42 (as alleged) a unit “for storing balance storing data . . . if the received signal corresponds to balance storing operation,” as recited, or “reading the balance storing data stored in the memory block if money is paid,” or for doing so on the condition that the received signal at the radio signal receiving block corresponds to balance storing information, as recited. As pointed out above, Takami’s disclosure regarding “balance” is extremely limited. In fact it is limited to disclosing that Takami has an information-processing unit 31 for controlling the output of the balance. Moreover, the reference to the entire 28 lines of col. 12, lines 15-42 without a hint of what lines constitute a disclosure of the features recited in claim 7, denies Applicant fundamental procedural and substantive due process under the Administrative Procedures Act.

Accordingly, Takami does not anticipate claim 7.

Further, with respect to claim 11, the Office Action contains no explanation of what part of Takami allegedly discloses where a computation block is designed so that a certain amount of data is stored in the memory block only when first and second balance storing information is determined to be proper information. In fact, this claimed feature is not even addressed in the rejection. Moreover, no reference to balance information is made in the referenced column 12, lines 15-42.

Accordingly, Takami does not anticipate claim 11.

Further, with respect to claims 12 and 13, Takami does not disclose stopping the service of a terminal when proper first balance storing information is received from the radio signal block, or to release a service stop state when balance storing cancellation information is received from the radio signal block during balance storing operation. Takami simply does not address these positively recited features of claims 12 and 13.

Accordingly, Takami does not anticipate claims 12 and 13.

Further, with respect to claim 14, which recites a control means for decrypting a balance storing information, allegedly shown somewhere in the 67 or so lines referenced in the rejection in columns 11 and 12, Applicant respectfully submits that there is no such disclosure in Takami, who does not

disclose anything to do with balance information in the referenced text, let alone storing the balance storing information, as recited. This argument, which was presented in the Reply filed on August 18, 2004, has not been addressed in the outstanding Office Action, thereby violating the express requirements of MPEP §707.07(f).

Accordingly, Takami does not anticipate claim 14.

Further, with respect to claim 26, which is allegedly shown by the disclosure in col. 11, lines 41-59, and in col. 12, lines 1-5, Applicant respectfully disagrees. Nowhere can Applicant find in Takami, a disclosure of “personal information update information,” of “determining whether a received radio signal corresponds to personal information update information,” or of extracting a certain variable if the signal corresponds to such information, or any of the other steps recited in claim 26. The assertion that the electronic money information discussed in col. 11, lines 41-59 and in col. 12, lines 1-5 is “a form of personal information” begs the question of whether the positively recited step of “determining whether a received radio signal corresponds to personal information update information” or of performing the step of “extracting a certain variable if it is determined that the received radio signal corresponds to personal update information.” These steps are nowhere to be found in Takami in general, or specifically, in col. 11, lines 41-59 or col. 12, lines 1-5. Nor are the further

positively recited steps of comparing the extracted variable (which is simply not disclosed in Takami) with a certain variable transmitted during a previous personal information update, and of updating personal information when the currently transmitted variable is greater than the previously transmitted variable.

Accordingly, Takami does not anticipate claim 26.

For the aforementioned reasons, Applicants respectfully submit that claims 3, 4, 7, 10-14, 16-22 and 26 are not anticipated by Takami, these rejections, which are based on Takami, are improper, and these rejections should be withdrawn.

Claim Rejections under 35 U.S.C. §103

The Examiner rejects claims 5, 6, 8, 9, 15, 23-25 and 27-33 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,536,661 to Takami et al. (hereinafter, "Takami") in view of U.S. Patent 6,105,006 to Davis et al. (hereinafter, "Davis"). This rejection is respectfully traversed,

Initially, Applicant notes that, with respect to claims 5, 6 and 8, that depend from claim 3, the Takami patent was applied in the rejection of claim 3, from which claims 5, 6 and 8 depend, and that Takami does not disclose or suggest many of the recited features in claims 5, 6 and 8 for the same reasons that claim 3 is not anticipated by Takami.

Moreover, Davis '006 only discloses "balance" in terms of a single sentence that is found in two separate locations in Davis, i.e., in col. 18, lines 34-38, and in col. 19, lines 36-40, which states that Davis' transaction processing system authenticates smart card 920, the requesting party's financial status (e.g., account balance, credit availability, etc.) and either completes or denies the transaction.

So, even if these two references were properly combined (which they are not for reasons stated below), they would not result in, or render obvious, the claimed invention recited in claims 5, 6 and 8.

In rejecting claims under 35 U.S.C. § 103, it is incumbent on the Examiner to establish a factual basis to support the legal conclusion of obviousness. See, In re Fine, 837 F.2d 1071, 1073, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). In so doing, the Examiner is expected to make the factual determinations set forth in Graham v. John Deere Co., 383 U.S. 1, 17, 148 USPQ 459, 467 (1966), and to provide a reason why one of ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. Uniroyal Inc. v. F-Wiley Corp., 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed. Cir. 1988), cert. denied, 488 U.S. 825 (1988); Ashland Oil, Inc. v. Delta Resins &

Refractories, Inc., 776 F.2d 281, 293, 227 USPQ 657, 664 (Fed. Cir. 1985), cert. denied, 475 U.S. 1017 (1986); ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). These showings by the Examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. Note, In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. In re Fritch, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be suggested or taught by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1970). All words in a claim must be considered in judging the patentability of that claim against the prior art. In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

A showing of a suggestion, teaching, or motivation to combine the prior art references is an "essential evidentiary component of an obviousness holding." C.R. Bard, Inc. v. M3 Sys. Inc., 157 F.3d 1340, 1352, 48 USPQ2d 1225, 1232 (Fed. Cir. 1998). This showing must be clear and particular, and broad conclusory statements about the teaching of multiple references, standing alone, are not "evidence." See In re Dembiczak, 175 F.3d 994 at 1000, 50 USPQ2d 1614 at 1617 (Fed. Cir. 1999).

The alleged reason for combining Takami and Davis '006 is because both Takami and Davis teach storing electronic money with the use of radio frequency and comparing pertinent encrypted data to complete transactions, and because "it provides for an efficient manner for communicating messages to users for operations important to a customer and provide common auditory signals for unsuccessful transactions that a customer would be familiar with and easily comprehend."

Applicant respectfully submits that this showing of motivation is neither clear nor particular but is the type of broad, conclusory statement of both references that, standing alone, are not proper evidence of proper motivation to combine these references as suggested. Compare, Dembiczak, cited above.

Furthermore, Davis teaches using a "distinctive audio alert pattern" to signal that "the financial transaction has been completed without error." Davis does not teach generating "a call sound or an error sound during the balance storing operation" as recited.

Generating an audio alert pattern after an entire transaction has been completed without error is just the opposite of generating a call tone or an error sound during a balance storing operation.

The assertion that it would be obvious to provide "an auditory signal . . . for unsuccessful transactions" based a disclosure of generating a distinctive audio alert pattern to show just the opposite, i.e., that a transaction is a



successful transaction, as is disclosed by Davis, is improper and fails to explain why one would do just the obvious of what Davis teaches. In fact, Davis actually teaches away from doing what is recited.

Accordingly, the Examiner has not made out a *prima facie* case of proper motivation to combine the references or a *prima facie* case of obviousness of the claimed invention, which is neither met nor made obvious by the resulting reference combination of Takami and Davis for reasons stated above in traversal of the rejection of claim 3 based on Takami..

Reconsideration and withdrawal of this rejection of claims 5, 6 and 8 are respectfully requested.

Further, with respect to claim 9, which recites a control means for decrypting an output signal of the radio apparatus, extracting certification information if there is a service stop signal, disables the memory block when the extracted certification information is the same as previously stored certification information and stopping service of the card. Applicant respectfully submits that there is no such disclosure in Takami, who does not disclose anything to do with stopping service of a card upon and disabling the memory block as recited.

Accordingly, Takami does not disclose or suggest or render obvious the subject matter claim 9.

Further, with respect to claim 15, Applicant notes that claim 15 is not taught by Takami for the same reasons that claim 10, from which these claims depend, is not taught by Takami.

Moreover, Davis '006 only discloses "balance" in terms of a single sentence that is found in two separate locations in Davis, i.e., in col. 18, lines 34-38, and in col. 19, lines 36-40, which states that Davis' transaction processing system authenticates smart card 920, the requesting party's financial status (e.g., account balance, credit availability, etc.) and either completes or denies the transaction.

So, even if Takami and Davis were properly combined (which they are not for reasons stated below), they would not result in, or render obvious, the claimed invention recited in claim 15.

Moreover, for reasons stated above, Applicant respectfully submits that the Examiner has not made out a *prima facie* case of proper motivation to combine the references or a *prima facie* case of obviousness of the claimed invention.

Moreover, Davis only discloses "balance" in terms of a single sentence that is found in two separate locations in Davis, i.e., in col. 18, lines 34-38, and in col. 19, lines 36-40, which state that Davis' transaction processing system authenticates smart card 920, the requesting party's financial status (e.g., account balance, credit availability, etc.) and either completes or denies the

transaction.

Combining these two disclosures will not result in the invention recited in claim 15 just as combining Davis and Takami will not result in the particular balance features recited in those claims.

Applicant also notes that these arguments pertaining to claim 15 were presented in the Reply filed on August 18, 2004, and are not addressed in the outstanding office Action, thereby violating MPEP §707.07(f).

Reconsideration and withdrawal of this rejection of claim 15 is respectfully requested.

With respect to claims 23-25, neither Takami nor Davis disclose the claimed invention. Davis comes closest by disclosing that its transaction processing system authenticates the smart card 920, the requesting party's financial status (such as its account balance, etc.) and either completes or denies the transaction. Takami does not even disclose this feature but is limited to the meager disclosure of balance in col. 7, as noted above.

Neither Takami nor either cited Davis patent discloses determining whether there is no balance storing information and releasing a card service stop if extracted certification information is the same as previously stored certification information, as recited in claims 23-25.

Accordingly, even if these references were somehow combined, they would not result in, or render obvious, the claimed invention.

The Office Action asserts that Davis teaches completion of the financial transaction through code comparison, referencing col. 22, line 21 through col. 23, line 15. However, that portion of Davis does not disclose, or suggest, "determining whether a card service stop or release information is received if there is no balance storing information," as recited in claims 23-25. Nor does referring to the aforementioned portion of Davis and alleging that Davis teaches completion of financial information, which does not even mention card balance information or card service stop information or card service stop release information, let alone determining if such information is received if there is no balance setting information, provide objective factual evidence of the existence of these claimed features in Davis.

Furthermore, there is absolutely no statement of why one of ordinary skill in the art would be motivated to modify Takami, which does not disclose the recited features of claim 26, in view of Davis, which also does not disclose those claimed features. The only motivation statement in this rejection concerns an audible alert pattern, which has nothing to do with the features recited in claims 23-25.

In other words, not only do the two applied references not disclose a number of the positively recited features of claims 23-25, so that even if they were properly combined, they would not meet or render obvious the claimed

invention, but, additionally, no objective factual evidence of proper motivation to modify Takami in view of Davis is found in the rejection.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the claimed invention.

Thus, the Examiner does not make out a *prima facie* case of obviousness of the claimed invention recited in claims 23-25.

Reconsideration and withdrawal of this rejection of claims 23-25 are respectfully requested.

With respect to claims 27-33, those claims recite method steps corresponding to many of the apparatus features recited in claims 3, 10 and 16, features which clearly are missing from Takami and both Davis references for reasons discussed above.

Neither Takami nor either cited Davis patent discloses determining whether there is no balance storing information, and releasing a card service stop if extracted certification information is the same as previously stored certification information, as recited in claims 27-33.

Moreover, the Examiner does not make out a *prima facie* case of proper motivation to combine the applied references for the reason stated above regarding the same reference combinations.

Accordingly, the Examiner does not make out a *prima facie* case of obviousness of the claimed invention recited in claims 27-33.

Additionally, although the outstanding Office Action now includes claim 9 in this rejection, the features of claim 9 are not addressed in this rejection, and the statement in the previous rejection, which incorrectly addressed claim 9 as if it depended directly from claim 3 instead of its correct direct dependency on claim 8, incorrectly alleged that its features were disclosed in col. 11, line 59 through col. 12, line 5 of Takami.

Applicant respectfully submits that col. 11, line 59 through col. 12, line 5 of Takami never mentions a service stop signal or disabling a memory block when extracted certification information is the same as previously stored certification information, and stopping service of a card, as recited. In fact, this portion of Takami actually does the opposite in the sense that it records into memory certain information when payment is completed..

For at least the foregoing reasons, it is respectfully submitted that all pending claims are allowable over the applied art, regarding the rejection of claims 5, 6, 8, 9, 15, 23-25 and 27-33. Accordingly, all claims should be allowed.

### **CONCLUSION**

The stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

Applicant also respectfully requests that the next Office Action treat all the issues raised in this Reply, including treating the references listed in the aforementioned Information Disclosure Statements that have not yet been treated, and acknowledging whether the formal drawings filed on August 18, 2004 overcome the Draftsperson's objections.

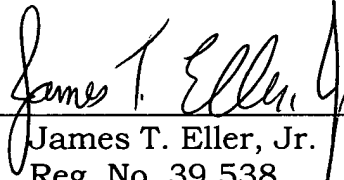
However, if there are any outstanding issues, the Examiner is invited to telephone Robert J. Webster, Reg. No. 46,472, at 703-205-8000, in an effort to expedite prosecution.


Application No.: 09/299,596  
Art Unit 3624  
Page 26

Attorney Docket No. 0630-0913P  
Reply to Office Action dated September 29, 2004

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,  
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:   
James T. Eller, Jr.  
Reg. No. 39,538

0630-0913P  
JTE/RJW/adt 

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000